

Exhibit D
Affidavit of Sheriff Jay Jones

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

JEFFERY B. SANFORD,

Plaintiff,

v.

JAY JONES, et al.

Defendants.

)
)
)
)
)
)
)
)
)
)

Civil Action No. 3:06-cv-00327-MHT-DRB

AFFIDAVIT OF JAY JONES

STATE OF ALABAMA

COUNTY OF LEE

)
)
)

BEFORE ME, the undersigned authority and Notary Public in and for said County and State at large, personally appeared Jay Jones, who being known to me and being by me first duly sworn on oath deposes and says as follows:

1. My name is Jay Jones. I am over the age of nineteen and competent to execute this affidavit.

2. I am the duly elected Sheriff of Lee County, Alabama, and have served in such capacity since 1999.

3. I am familiar with the Plaintiff Jeffery B. Sanford due to his incarceration in the Lee County Detention Facility. I have no personal knowledge of any of the specific allegations that form the basis of Plaintiff's Complaint.

4. I state affirmatively that I neither acted, nor caused anyone to act, in such a manner as to deprive the Plaintiff of any right to which he was entitled.

5. I have delegated the responsibility for the day-to-day functions of the Lee County Detention Facility to Major Cary Torbert, Jr., the Chief Deputy of Corrections of the

Lee County Detention Facility. As Sheriff of Lee County, I am responsible for promulgating the policies governing the Lee County Detention Facility.

6. I have complied with all policies and procedures of the Lee County Detention Facility. I am not aware of nor have I authorized or allowed any deviation from said policies and procedures.

7. I have never received any request form from the Plaintiff concerning any of the allegations made the basis of his Complaint. Further, the Plaintiff has never even verbally complained to me of any of the alleged conditions. In fact, the Plaintiff and I have never had any conversation regarding the alleged conditions.

8. I have never received a grievance from the Plaintiff concerning any of the allegations made the basis of his Complaint. Per Lee County Sheriff's Office policy, an inmate has the opportunity to appeal any grievance to me if he were not satisfied with the response at the lower levels in the chain of command. The Plaintiff has not appealed any grievance to me. Accordingly, the Plaintiff has failed to exhaust his administrative remedies at the Lee County Detention Center.

9. I swear, to the best of my present knowledge and information that the above statements are true, that I am competent to make this affidavit and that the above statements were made by drawing from my personal knowledge of the situation.

JAY JONES

SWORN TO and SUBSCRIBED before me this ____ day of August, 2006.

NOTARY PUBLIC

My Commission Expires: _____